

United States Senate

WASHINGTON, DC 20510

April 1, 2011

The Honorable Julius Genachowski
Chairman, Federal Communications Commission
445 12th Street SW
Washington, D.C. 20554

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Dear Chairman Genachowski:

As you know, the Rail Safety Improvement Act of 2008 called for the development and implementation of Positive Train Control (PTC) in passenger railroads. Congress required installation of this important public safety technology shortly after the tragic railroad accident on September 12, 2008, in Chatsworth, California that resulted in the death of 25 people. Because PTC can prevent these sorts of accidents, the Southern California Regional Rail Authority (Metrolink) has committed to the development and deployment of its system by the end of 2012, a full three years ahead of the Congressional mandate.

Metrolink contracted to buy the spectrum needed to implement PTC from Maritime Communications/Land Mobile ("MCLM"), and filed the necessary applications with the FCC seeking an assignment of the spectrum to Metrolink and permission to use it for PTC.

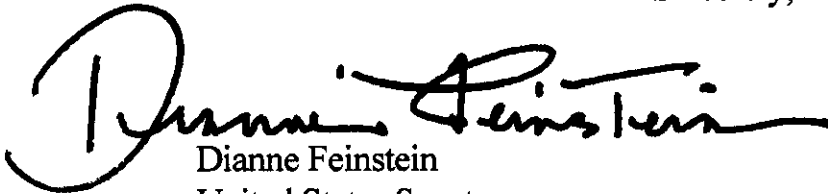
It is our understanding that the FCC presently is investigating an allegation that MCLM failed to reveal a party in interest when it obtained the spectrum in question in an FCC auction. Until this investigation is resolved, Metrolink's application will remain pending.

Although we can't make any comment on the merits of this investigation, we can respectfully urge its rapid consideration and conclusion, so Metrolink can move forward with the vitally-needed public safety improvement that PTC implementation would provide, or make alternative plans for obtaining the needed spectrum. Metrolink has had three major fatal accidents in the past ten years, with over three dozen people killed and hundreds more injured, so it is imperative that we resolve this, one way or another, as expeditiously as possible.


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Thank you very much for your attention to this matter. Should you have any questions or wish to discuss this matter, please do not hesitate to call us, or have a member of your staff call Neil Quinter on Senator Feinstein's staff at 202-224-4933 or Bridget Petuczok on Senator Boxer's staff at 202-224-8113.

Sincerely,



Dianne Feinstein
United States Senator



Barbara Boxer
United States Senator



FEDERAL COMMUNICATIONS COMMISSION

August 2, 2011

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Barbara Boxer
United States Senate
112 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Boxer:

Thank you for your letter regarding the Southern California Regional Rail Authority (SCRRA) applications to acquire and use spectrum for a positive train control (PTC) system. I appreciate the important public safety goals of the Rail Safety Improvement Act of 2008, including timely implementation of PTC by applicable rail systems, and want to assure you that the Commission will resolve the SCRRA applications as expeditiously as possible.

As you noted in your letter, the SCRRA applications are the subject of petitions to deny. The allegations raised against the current licensee, Maritime Communications/Land Mobile, prompted the Commission to request additional information from the parties. As a result of this investigation, the Commission recently designated this matter for hearing before an administrative law judge (ALJ). Upon completion of this hearing, the Commission will review any findings made by the ALJ and complete its work as soon as possible.

I appreciate your bringing this matter to my attention. Please do not hesitate to contact me if I can be of any further assistance.

Sincerely,



Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

August 2, 2011

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Dianne Feinstein
United States Senate
331 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Feinstein:

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Sincerely,



Julius Genachowski